

Before the
Federal Communications Commission
Washington, DC 20554

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In the Matter of

Request for Review of the
Decision of the
Universal Service Administrator by

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Kalamazoo Public Schools
Kalamazoo, Michigan

File No. SLD-164612

Federal-State Joint Board on
Universal Service

CC Docket No. 96-45

Changes to the Board of Directors of the
National Exchange Carrier Association, Inc.

CC Docket No. 97-21

PETITION FOR RECONSIDERATION

Kalamazoo Public Schools ("Kalamazoo"), by its counsel, and pursuant to Section 1.106 of the Commission's rules,¹ hereby submits this petition for reconsideration of the Wireline Competition Bureau's ("the Bureau") decision denying Kalamazoo's Request for Review² in the above-captioned matter (the "*Denial Order*")

¹ See 47 C.F.R. § 1.106 (2001)

² See Request for Review of the Decision of the Universal Service Administrator by Kalamazoo Public Schools, Kalamazoo, MI, CC Docket No. 96-45, CC Docket No. 97-21, DA 02-2348, released October 3, 2002 (the "*Denial Order*").

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List ASQUE

Kalamazoo has standing to file this Petition as a party to this proceeding.' The Petition is timely, as it was filed with the Commission within 30 days from the date of public notice.⁴ Therefore, the instant Petition is properly before the Commission.

I. FACTS

The facts set forth below are in all material respects consistent with the recitation of facts contained in the Denial **Order**, though Kalamazoo obviously differs with the Bureau as to the application of these facts to the relevant regulations and procedural requirements,

A. Funding Request - January 1, 1998 through June 30, 1999 (Funding Year 1)

1. January 5/6, 1998- Kalamazoo executed an order form with Ameritech-Michigan governing the provision of telecommunications services for the ensuing five (5) years.

2. February 26, 1998- In compliance with the Commission's newly established competitive bid requirements, Kalamazoo filed Form 470 for Plain Old Telephone Service ("POTS") with the Schools and Libraries Division of the Universal Service Administrative Company ("the SLD") (assigned Universal Service Control Number: 474450000044604)

3. **April** 7, 1998- Kalamazoo properly filed Form 471 to receive universal service funded discounts for telecommunications services provided by Ameritech-Michigan,

4. February 9, 1999- The SLD approved Kalamazoo's funding request for Funding Year 1

³ See 47 C.F.R. § 1.106(b)(1) (2001).

⁴ See 47 C.F.R. § 1.106(f) (2001).

B. Funding Request - July 1,1999 through June 30,2000 (Funding Year 2)

5. December 10, 1998- In a further effort to comply with the Commission's competitive bid rules, Kalamazoo filed Form 470 for POTS (assigned Universal Control Number: 866030000111137).

6. March 26, 1999- Kalamazoo properly filed Form 471 with the SLD to receive universal service funded discounts for telecommunications services provided by Ameritech-Michigan.

7. July 8, 1999- The SLD approved Kalamazoo's funding request for Funding Year 2.

C. Funding Request -July 1,2000 through June 30,2001 (Funding Year 3)

8. January 10, 2000- Kalamazoo filed **Form** 471, which referenced the December 10, 1998, Form 470 filing, in order to receive universal service funded discounts for Funding Year 3. (Kalamazoo did not file **Form** 470 for Funding Year 3, under the theory that such a filing would be inappropriate in view of the Commission's procedures which provide that where multiyear agreements exist it is unnecessary to file additional Form 470s once the entity has complied with the Commission's competitive bid requirements for a multi-year agreement).⁵

9. July 21, 2000- Kalamazoo received a letter from the SLD listing a funding commitment of \$0.00 for the requested funding for Funding Year 3. The letter, which all parties stipulate was based on erroneous facts, stated that Kalamazoo had entered a contract for new

⁵ See *Denial Order* at 2 (citing *Federal-State Joint Board on Universal Service*, 15 FCC Rcd 6732, 6736).

service in violation of the 28 day waiting period as computed from the December 10, 1998, posting of Form 470.

D. Appeal of Denial for Funding Year 3

10. July 27, 2000- Kalaniazoo appealed the SLD's decision denying funding for Funding Year 3.

11. March 19, 2001- Because of the SLD's continued reliance on erroneous facts, Kalamazoo received a letter from the SLD denying in full the appeal for Funding Year 3 based on a violation of the 28 day waiting period computed from the date of posting of Form 470, on December 10, 1998. The SLD's decision stated that Kalamazoo had entered a contract with Ameritech-Michigan on January 5, 1999, which all parties now agree was not the case.

12. April 4, 2001- Kalamazoo submitted a letter to the Commission requesting review of the SLD's decision denying Kalamazoo's appeal, and correcting the record as to the date of the agreement entered with Ameritech-Michigan (which was the erroneous fact on which the SLD relied).

13. October 3, 2002- The Bureau issued its *Denial Order*. The Bureau upheld a denial of funding for Funding Year 3 but differed with the SLD on the nature of Kalamazoo's alleged violation of the competitive bid requirements. In addition, the Bureau also requested that the SLD make adjustments for Funding Year 2, concluding (apparently) that Kalamazoo had not complied with the Commission's competitive bid requirements in the December 10, 1998, Form 470 filing.

For the reasons set forth below, Kalamazoo requests that the Commission reconsider the *Denial Order*.

II. ARGUMENT

A. Kalamazoo Fully Complied With The Commission 's Competitive Bid Requirements

Contrary to what the Bureau determined in its *Denial Order*, Kalamazoo has in all material respects complied with the Commission's competitive bid requirements. The competitive bid requirements state that an entity seeking universal service funded discounts on purchased telecommunications services must submit Form 470 to the SLD, listing the details of the entity's needs.⁶ The SLD then posts this information on the SLD's web-site.⁷ After a four week waiting period, during which time potential service providers have the opportunity to contact the entity to bid for the contract, the entity may then submit Form 471, requesting the applicable discount from the SLD.⁸

The Commission has expressly stated that by filing Form 470, thereby affording potential competitive service providers an opportunity to respond to the posting, an applicant for universal service subsidies has fulfilled the Commission's competitive bid requirements.⁹ The Commission has further confirmed "that Commission rules do not require schools and libraries that submit a Form 470 application for posting on the SLD website before they renew a contract

⁶ See 47 C.F.R. § 54.504(b) (2001).

⁷ See 47 C.F.R. § 54.504(b) (2001).

⁸ See 47 C.F.R. § 54.504(c) (2001).

⁹ See 15 FCC Rcd. 6732 at 6736 ("1999 Order") ("As long as new competitors have the opportunity to view and respond to such [Form 470] postings, and applicants consider any bona fide offers, the Commission's rules would be satisfied.").

to undertake any other competitive bidding processes other than to consider carefully any bona fide responses to their posting.""

Kalamazoo fully complied with the requirements above. On December 10, 1998, the SLD posted Kalamazoo's Form 470 for Funding Year 2." On March 26, 1999 (after the four week waiting period expired), Kalamazoo filed Form 471 seeking universal service funded discounts.¹² In posting their service request and waiting the requisite four weeks before the submission ~~of~~ Form 471, Kalamazoo allowed service providers the ability to contact them regarding possible alternatives to the Amcritech-Michigan agreement. If the SLD had any issues with Kalamazoo's compliance with the competitive bid requirements, it certainly did not communicate them to Kalamazoo. Indeed, on March 26, 1999, the SLD approved Kalamazoo's funding request. It would be contrary to law to revisit that conclusion now

B. The Commission's Competitive Bid Requirements Do Not Require An Entity To Sign A Contract After The Posting Of Form 470

In its *Denial Order*, the Bureau stated that Section 54.504 of the Commission's rules requires that " applicants seeking service . . . may only rely on contracts *signed* after the expiration of the 28-day waiting period." The Bureau's reliance on Section 54.504 is misplaced, as the provision does not mandate that an entity such as Kalamazoo seeking universal

¹⁰ See *id.*

¹¹ See Kalamazoo Form 470, posted December 10, 1998

"See Kalamazoo Form 471, filed March 26, 1999.

¹³ See *Denial Order* at 4.

service funded discounts sign an agreement after the four week waiting period in order to receive these discounts."

Section 54.504 states that "The confirmation from the Administrator [sent to the entity regarding its Form 470 filing] shall include the date after which the requestor *may* sign a contract with its chosen provider(s)."¹⁵ Not only is Section 54.504 by its terms discretionary, but it is also silent on the issues that are relevant to Kalamazoo's application. Kalamazoo has an existing arrangement in place with Ameritech-Michigan, which it maintained after it failed to receive a superior bid. Nothing in Section 54.504 states, or even implies, that in order to comply with the provision, Kalamazoo must revisit its existing arrangements with Ameritech-Michigan, and re-execute documents reaffirming the terms that already apply.¹⁶ Yet this is precisely what the Bureau contends. It is axiomatic that the law should not be construed in such a manner so as

¹⁴ See 47 C.F.R. § 54.504(b)(4) (2001).

¹⁵ 47 C.F.R. § 54.504(b)(4) (2001) (emphasis added). See 47 C.F.R. § 54.504(b) (2001) ("The entity *shall* then wait at least four weeks... the Administrator *shall* post each 470 on its website"). See *Browder v. International Fidelity Ins. Co.*, 413 Mich. 603 (1982) ("...courts should give the ordinary and accepted meaning to the *mandatory* word 'shall' and the *permissive* word 'may' unless to do so would clearly frustrate legislative intent as evidenced by other statutory language or by reading the statute as a whole.") (emphasis added).

¹⁶ Neither did the SLD's correspondence with Kalamazoo indicate that it would be necessary for Kalamazoo to resign an agreement with Ameritech-Michigan. See Important Notice from the Schools and Libraries Corporation about your FCC Form 470 Application, dated February 26, 1998, ("According to FCC rules, because your Form 470 lists only descriptions of services currently being provided under pre-existing contracts, it will not be necessary to post your application on the SLC web site.... This review will consider eligibility of discount recipients, the contract signing dates of pre-existing contracts, and the eligibility of services for which discounts are requested.")

to require an entity to take an action that is superfluous or meaningless.¹⁷ It is difficult to imagine a more unnecessary step than to require an entity to execute an agreement, identical to an agreement already in effect. Further, use of the term *may* is consistent with the Commission's rules allowing certain entities to sign renewals on their existing contracts,¹⁸ while still allowing other entities, such as Kalanizoo, rely on previously established agreements when applying for universal service funded discounts

C. Denying Kalamazoo Universal Service Funded Discounts Violates The Intent Of The Universal Service Goals And Is An Improper And Unintended Application Of The Commission's Competitive Bid Requirements

Congress' intent in enacting Section 254 of the Telecommunications Act of 1996¹⁹ was to ensure that all Americans have access to high quality and low cost telecommunications services. Citing the specific needs of schools, libraries, and healthcare facilities, Congress noted that there "should be specific, predictable, and sufficient Federal and State mechanisms to preserve and advance universal service; all schools, classrooms, healthcare providers, and libraries should, generally, have access to advanced telecommunications services...."²⁰

¹⁷ See, for example, *United States v. Harmon*, 184 F.R.D. 295, 297 (E.D. Tenn. 1999) ("In construing case law and rules, the Court is required to construe them in such a way to give effect to all provisions and so that the case law and rules are rational.")

¹⁸ See *Federal-State Joint Board on Universal Service*, DA 99-1773, CC Docket No. 96-45, released September 1, 1999, at 5.

¹⁹ See 47 U.S.C. § 254 (2001)

²⁰ See Federal Communications Commission, FCC Web-Site, available at http://www.fcc.gov/wcb/universal_service/welcome.html (visited November 2, 2002) (describing the universal service goals set out in the Telecommunications Act of 1996).

Kalamazoo is a public school district in Michigan, and is in need of the universal service support it seeks. Rather than construe its rules in a manner that is supportive of the entities the rules were designed to aid, the Bureau **took** a harsh and literalist approach in its construction (which Kalamazoo contends is simply wrong), that may result in severe and irreparable damage to Kalamazoo school district and its constituents. It should be noted that the Commission's rules are far from self-evident. Quite to the contrary they are extremely confusing and unpredictable, and strict application of them will, as is the case with Kalamazoo, invariably result in the denial of funds to entities that deserve and need them. in contravention of Congress' objectives in promulgating universal service support mechanisms

REQUEST FOR RELIEF

For the foregoing reasons, Kalamazoo Public Schools requests that the Commission grant its Petition for Reconsideration, and grant to Kalamazoo its funding requests for Funding Year 2 and Funding Year 3

Respectfully submitted,

By: *Dana Frix* *DNB*
Dana Frix
Kemal Hawa

Chadbourne & Parke LLP
1200 New Hampshire Ave. NW
Suite 300
Washington, DC 20036
(202) 974-5600

cc: Chris Williams
Kalamazoo Public Schools
1220 Howard Street
Kalamazoo, Michigan 49008-1882

Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

ATTACHMENT A

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 6.0 hours

This form is designed to help schools and libraries describe the eligible telecommunications-related services they **seek** so that this data can be posted on a website and interested service providers can identify the applicant as a potential customer and compete to serve it.

Please read instructions before completing.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications (School, library, or consortium desiring Universal Service funding.)

Posting Date: 12/10/1998			
Allowable Contract Date: 01/07/1999			
Certification Received Date: 12/18/1998			
1. Name of Applicant: KALAMAZOO PUBLIC SCHOOL DIST		2. Funding Year: 07 /18 - 06/30/2000	
3a. NCES School Code (if individual school) Or NCES Library Code (if individual library) State 26 - District: 19950 - School/Library:			
3b. Universal Service Control Number: 866030000111137		3c. Applicant ID Number: 131284	
4a. Type of Applicant (Check only one box.)			
<input type="radio"/> school <input checked="" type="radio"/> school district <input type="radio"/> library or library consortium under the LSTA <input type="radio"/> consortium of multiple entities			
4b. If Applicant is a consortium, check all other boxes that apply:			
<input type="checkbox"/> includes non-governmental entities ineligible for support		<input type="checkbox"/> state educational agency	
<input type="checkbox"/> entity desires separate bills for each member of consortium		<input type="checkbox"/> local educational agency	
<input type="checkbox"/> entity desires separate bills for some members of consortium		<input type="checkbox"/> educational service agency	
<input type="checkbox"/> region of a state <input type="checkbox"/> statewide <input type="checkbox"/> multi-state			
5. Applicant's Street Address, P.O.Box, or Route Number			
Street: 1220 HOWARD ST			
City: KALAMAZOO	State: MI	Zip Code 5Digit: 49008	Zip Code 4Digit: 1871
Telephone number Ext: (616) 3370139		E-mail Address: williamses@kalamazoo.k12.mi.us	
6. Contact Person's Name: Chris Williams			
Street Address, P.O.Box, or Route Number (if different from Item 5)			
Street: 1220 HOWARD ST			
City: KALAMAZOO	State: MI	Zip Code 5Digit: 49008	Zip Code 4Digit: 1871
Fill in all of the following (if available), and check the preferred mode of contact:			
<input type="radio"/> Telephone Number Ext: (616) 3370139	<input checked="" type="radio"/> Fax Number Ext: (616) 3370195	<input type="radio"/> E-mail address: williamses@kalamazoo.k12.mi.us	<input type="radio"/> Mail:

7a. Number of studenti : 11279	7b. Number of library patrons:
8. Number of buildings to be served: 27	9. Number of rooms to be served: 910

Block 3: Summary Description of Needs or Services Requested

10. ☐ Check if applicant seeks discounts only for eligible services based on one or more **existing, binding** contract(s) and proceed to Block 4.

Sequence #	Date Contract Signed	Contract Termination Date			
(1)		(2)	(3)	(4)	(5)
		Existing Services	Additional Services Desired	Total Services Desired	Details (Optional)
12. Telecommunications Services					
a. Number of phones that have or require service (See instructions concerning extension phones and fax machines.)	850	50	900	Centrex and POTS	
b. Number of computers that have or require service					
c. Number of high bandwidth video conferencing links					
d. Specify other (Optional)					
13. Internal Connections	Existing	Additional	Total	Details	
a. Number of buildings with at least some rooms connected	<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>				
b. Number of rooms connected					
c. Highest Speed of connection					
d. Specify other (Optional)					
14. Internet Access	Existing	Additional	Total	Details	
a. Number of dial up connections necessary	<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>				
b. Highest speed of dial up connections					
c. Number of direct connections necessary					
d. Highest speed of such direct connections	<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>				
e. Specify other (Optional)					
15. You may provide additional summary information about the services you are requesting to help service providers identify your needs more precisely. You may provide technical requirements or give an informal description of your telecommunications-related goals. Centrex and POTS					
16. <input type="checkbox"/> Check here if there are any restrictions imposed by state or local laws or regulations on how and when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures. You may attach restrictions or give website where they are posted.					
17. Purchases in future years: If you have current plans to purchase additional services in future years, describe them below (Providing this information is optional.)					

a. Desktop communications software: Software required <input type="checkbox"/> has been purchased; and/or <input type="checkbox"/> is being sought.
b. Electrical systems: <input type="checkbox"/> adequate electrical capacity is in place or has already been arranged; and/or <input type="checkbox"/> upgrading for additional electrical capacity is being sought.
c. Computers: a sufficient quantity of computers <input type="checkbox"/> has been purchased; and/or <input type="checkbox"/> is being sought.
d. Computer hardware maintenance: adequate arrangements <input type="checkbox"/> have been made; and/or <input type="checkbox"/> are being sought.
e. Staff development: <input type="checkbox"/> all staff have had an appropriate level of training or additional training has already been scheduled; and/or <input type="checkbox"/> training is being sought.
f. Additional details: Use this space to provide additional details to help providers to identify the services or facilities you desire.

Block 5: Listing Consortium Participants

Billed Entity	Billed Entity's Zip Code	Billed Entity Code (Inserted by Administrator)	Zip Code(s) of Recipients of Service
---------------	--------------------------	---	--------------------------------------

Name of Entity	Zip Code(s) of Recipients of Service	Contact Person	Phone Number, E-mail Address, or Alternative Preferred Contact Method
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Block 6: Certifications and Signature
--

<p>21. The applicant includes: (Check one or both)</p> <p>a. <input checked="" type="checkbox"/> schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or</p> <p>b. <input type="checkbox"/> libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges, and universities.</p> <p>22. All of the individual schools, libraries, and library consortia listed above in item 19 are covered by:</p>

a. <input checked="" type="checkbox"/> individual technology plans and/or
b. <input checked="" type="checkbox"/> higher-level technology plans for using the services requested in this application (if those services consist of other than voice services).
23. Status of technology plan (check one):
a. <input checked="" type="radio"/> Technology plan(s) has/have been approved; or
b. <input type="radio"/> Technology plan(s) will be approved by a state or other authorized body; or
c. <input type="radio"/> Technology plan(s) will be submitted to Schools and Libraries Corporation for approval.
24. <input checked="" type="checkbox"/> I certify that the services the applicant purchases at discounts provided by 41 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.
25. <input checked="" type="checkbox"/> I recognize that support under this program is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.
26. <input checked="" type="checkbox"/> I certify that I am authorized to submit this request on behalf of the above-named applicant. that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.
29. Printed name of authorized person Gary L. Start
30. Title or position of authorized person Asst. Supt. Business, Finance & Ops.

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ATTACHMENT B

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response, 6.0 hours

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Posting Date: 03/06/1998
Allowable Contract Date: 04/03/1998
Certification Received Date: 03/16/1998

1. Name of Applicant: KALAMAZOO PUBLIC SCHOOL DIST		2. Funding Year: 01/01/1998 - 06/30/1999	
3a. NCES School Code (if individual school) Or NCES Library Code (if individual library) State: 26 - District: 19950 - School/Library:			
3b. Universal Service Control Number: 380120000064193		c. Applicant ID Number: 131284	
4a. Type Of Applicant (Check only one box.) <input type="radio"/> school <input checked="" type="radio"/> school district <input type="radio"/> library or library consortium under the LSTA <input type="radio"/> consortium of multiple entities			
4b. If Applicant is a consortium, check all other boxes that apply: <input type="checkbox"/> includes non-governmental entities ineligible for support <input type="checkbox"/> entity desires separate bills for each member of consortium <input type="checkbox"/> entity desires separate bills for some members of consortium <input type="checkbox"/> region of a state <input type="checkbox"/> statewide <input type="checkbox"/> multi-state		<input type="checkbox"/> state educational agency <input type="checkbox"/> local educational agency <input type="checkbox"/> educational service agency	

5. Applicant's Street Address, P.O.Box, or Route Number			
Street 1220 HOWARD ST			
City KALAMAZOO	State MI	Zip Code 5Digit 49008	Zip Code 4Digit 1871
Telephone number Ext: (616) 3370100		E-mail Address	
6. Contact Person's Name: Jim Rudnick			
Street Address, P.O.Box, or Route Number (if different from Item 5)			
Street:			
City:	State:	Zip Code 5Digit:	Zip Code 4Digit:
Fill in all of the following (if available), and check the preferred mode of contact:			
<input checked="" type="radio"/> Telephone Number Ext: (616) 3370153	<input checked="" type="radio"/> Fax Number Ext:	<input type="radio"/> E-mail address:	<input type="radio"/> Mail:

Block 2: Other Characteristics Of Applicant

7a. Number of students: 11775	7b. Number of library patrons:
8. Number of buildings to be served: 26	9. Number of rooms to be served: 900

Block 3: Summary Description of Needs or Services Requested

10. ☐ Check if applicant seeks discounts only for eligible services based on one ^{or} more **existing, binding** contract(s) and proceed to Block 4.

Sequence # _____ Date Contract Signed _____ Contract Termination Date _____

11. ☒ Check here if you have a Request for Proposal(RFP) available. If RFP is posted on a website, provide the website address _____

(1)	(2)	(3)	(4)	(5)
	Existing Services	Additional Services Desired	Total Services Desired	Details(Optional)
12. Telecommunications Services				
a. Number of phones that have or require service (See instructions concerning extension phones and fax machines.)				
b. Number of computers that have or require service				
c. Number of high bandwidth video conferencing links				
d. Specify other (Optional)				
13. Internal Connections	Existing	Additional	Total	Details
a. Number of buildings with at least some rooms connected				
b. Number of rooms connected				
c. Highest Speed of connection				
d. Specify other (Optional)	3 servers	2 servers	5 servers	1 for e-mail, 1 for library automation
14. Internet Access	Existing	Additional	Total	Details
a. Number of dial up connections necessary				
b. Highest speed of dial up connections				
c. Number of direct connections necessary				
d. Highest speed of such direct connections				
e. Specify other (Optional)				
15. You may provide additional summary information about the services you are requesting to help service providers identify your needs more precisely. You may provide technical requirements or give an informal description of your telecommunications-related goals.				
Contact Sharon Engen at 616 337-0124 for server specifications				
16. <input checked="" type="checkbox"/> Check here if there are any restrictions imposed by state or local laws or regulations on how and when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures. You may attach restrictions or give website where they are posted.				
The Michigan School Code of 1976 outlines bidding requirements which all Michigan public schools must follow.				
17. Purchases in future years: If you have current plans to purchase additional services in future years, describe them below (Providing this information is optional.)				

--

a. Desktop communications software: Software required <input checked="" type="checkbox"/> has been purchased; and/or <input checked="" type="checkbox"/> is being sought.
b. Electrical systems: <input checked="" type="checkbox"/> adequate electrical capacity is in place or has already been arranged; and/or <input checked="" type="checkbox"/> upgrading for additional electrical capacity is being sought.
c. Computers: a sufficient quantity of computers <input checked="" type="checkbox"/> has been purchased; and/or <input type="checkbox"/> is being sought.
d. Computer hardware maintenance: adequate arrangements <input checked="" type="checkbox"/> have been made; and/or <input checked="" type="checkbox"/> are being sought.
e. Staff development: <input checked="" type="checkbox"/> all staff have had an appropriate level of training or additional training has already been scheduled; and/or <input type="checkbox"/> training is being sought.
f. Additional details: Use this space to provide additional details to help providers to identify the services or facilities you desire.

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Hilled Entity	Billed Entity's Zip Code	Billed Entity Code (Inserted by Administrator)	Zip Code(s) of Recipients of Service
KALAMAZOO PUBLIC SCHOOL DIST	49008	131284	

Name of Entity	Zip Code(s) of Recipients of Service	Contact Person	Phone Number, E-mail Address, or Alternative Preferred Contact Method

Block 6: Certifications and Signature
--

21. The applicant includes:(Check one or both)
a. <input checked="" type="checkbox"/> schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or

<p>b. <input type="checkbox"/> libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school(including, but not limited to) elementary and secondary schools, colleges, and universities.</p>
<p>22. All of the individual schools, libraries, and library consortia listed above in item 19 are covered by:</p>
<p>a. <input type="checkbox"/> individual technology plans and/or</p>
<p>b. <input checked="" type="checkbox"/> higher-level technology plans for using the services requested in this application(if those services consist of other than voice services).</p>
<p>23. Status of technology plan(check one):</p>
<p>a. <input checked="" type="radio"/> Technology plan(s) has/have been approved; or</p>
<p>b. <input type="radio"/> Technology plan(s) will be approved by a state or other authorized body; or</p>
<p>c. <input type="radio"/> Technology plan(s) will be submitted to Schools and Libraries Corporation for approval.</p>
<p>24. <input checked="" type="checkbox"/> I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.</p>
<p>25. <input checked="" type="checkbox"/> I recognize that support under this program is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.</p>
<p>26. <input checked="" type="checkbox"/> I certify that I am authorized to submit this request on behalf of the above-named applicant, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.</p>
<p>29. Printed name of authorized person Jim Rudnick</p>
<p>30. Title or position of authorized person Director of Technology</p>

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ATTACHMENT C



AMERITECH® CENTREX SERVICE

DISCLOSURE OF CUSTOMER TERMINATION LIABILITY

1. CUSTOMER LIABILITY FOR FULL TERMINATION OF SERVICE

Termination Charges for full discontinuance of Ameritech Centrex Service at the request of Customer and prior to the end of the selected Service Term is calculated by Ameritech as follows:

Eighty percent (80%) of the contracted for station lines, as referenced on the attached Centrex Service Pricing Sheet MULTIPLIED times the number of remaining months in the selected Service Term, as referenced on the attached Confirmation of Service Order MULTIPLIED times fifty percent (50%)

2. CUSTOMER LIABILITY FOR PARTIAL TERMINATION OF SERVICE

In the event that Customer contracted for station line quantities fall below the Line Capacity Commitment noted on the attached Confirmation of Service Order the following applies

Termination Charges for partial discontinuance of Ameritech Centrex Service at the request of Customer and prior to the end of the selected Service Term is calculated by Ameritech as follows:

Eighty percent (80%) of the Line Capacity Commitment, as referenced on the attached Confirmation of Service Order MULTIPLIED times the associated monthly rate(s), as referenced on the attached Centrex Service Pricing Sheet MULTIPLIED times the number of remaining months in the selected Service Term, as referenced on the attached Confirmation of Service Order MULTIPLIED times fifty percent (50%).

3. TERMINATION OF SERVICE DUE TO OFFICE MOVES

In the event Customer moves the principle service location, as referenced on the attached Ameritech Michigan Terms and Conditions page, termination charges will not be applicable if any of the following apply:

- The move is within its service wire center area and the same or greater number of lines exist after the move.
- Move of secondary location(s) in the same Ameritech Centrex Service system, is moved within its serving wire center area or outside of its serving wire center area.
- Move is between wire center areas and both wire centers are served by Ameritech Michigan switches, with station lines not to exceed 300.
- Move is between wire centers served by an Ameritech Michigan switch and an off premises located Ameritech Michigan switch, with Station lines not to exceed 300.

When the move of the principle service location is between wire centers, a new Confirmation of Service Order is required for the new location and the new Confirmation of Service Order must be for a period equal to or greater than the time remaining in the existing Confirmation of Service Order and for the same or greater number of contracted for station lines.

All station lines involved in a relocation of Ameritech Centrex Service are subject to then current installation and nonrecurring charges.

The following basic features are available with EKL where facilities permit at no additional charge:

Analog Line Pickups
Automatic *did*
Automatic Line Preselect
Blind Transfer With Recall Id
Bridging
Call Forwarding Per Key
Call Request
Call Request w/Queue
Calling Number display
Calling Number display Intercom
Calling Reason Display
Display Capability
Executive Busy Override
Executive Busy Override Exempt
Feature Buttons
Group Intercom
Last Number Redial

Leave Message Activation
Listen On Hold
Make Set Busy
Make Set Busy Except w/Group Intercom
Message Retrieval Display
Message Waiting Activation Control
Message Waiting Indication Visual
Multiple Appearance Directory Number (SCA)
On Hook Dialing
Repeat Alert
Ringing Options for MADN
Secondary MADN Call Forward
Set Inspect
Shon Hunt
Stop Hunt-Access Code
Time and Date Display
Time and Date Display

You have also ordered the following optional feature(s) which will be provided where facilities permit. The current prevailing rates and charges are:

	Optional Features	Nonrecurring Charge	Cumulative Nonrecurring Charge	Monthly Rate	Cumulative Monthly Rate
700	PREMIUM FEATURE PKG	@	\$	@ 1.00	\$ 700.00
5	SPEED CALLMG LONG LIST	@	\$	@ .40	\$ 2.00
1	6 PORT CONFERENCE CKT	@	\$	@ 57.50	\$ 57.50
1	SMDR -	@	\$	@ 60.00	\$ 60.00
52	MADN	@	\$	@ .25	\$ 14.75
MAR 44	SECONDARY NUMBERS	@	\$	@ 120	\$ 52.80
-----		@	\$	@	\$
-----		@	\$	@	\$
-----		@	\$	@	\$
-----		@	\$	@	\$
B. Total Centrex Optional Feature			\$		\$ 887.05
Nonrecurring Charges and Monthly Rates					
Centrex Grand Total			\$		\$ 7339.58

 3/5/01
(Signature and Date)

Centrex Service Pricing Sheet

Customer orders and Ameritech agrees to provide the following Centrex service:

Service Term Selected: **60 Months**

Quantity	Description	Nonrecurring Charge	Cumulative Nonrecurring Charge	Monthly Rate	Cumulative Monthly Rate
1	System Charge - Establishment/Conversion	35.00	\$ 25.00	20.00	a 20.0
-----	Per Line Connection	@ \$ 42.00	E		
	Exchange Access				
	Per Line Exchange Access				
25	Lines 1 thru 25			@ \$ 10.03	\$ 250.75
174	Lines 26 thru 199			@ \$ 6.32	\$ 1099.68
300	Lines 200 thru 499			@ \$ 5.49	E 1647.00
282	Lines 500 thru 999			@ \$ 4.57	\$ 1288.74
-----	Lines 1,000 +			@ \$ 3.59	\$
	Standard Centrex Line				
680	Per Centrex Intercommunications			@ \$ 2.36	\$ 1604.80
	Electronic Key Line (EKL) (DMS 100 only)*				
101	Per EKL Intercommunications:	@ \$ 15.00	\$	@ \$ 5.36	\$ 541.36
	Integrated Services Digital Network (ISDN)				
-----	Per ISDN Intercom (Custom):	@ \$ 225.00	\$	@ \$	\$
-----	Per ISDN Intercom (National):	@ \$ 225.00	\$	@ \$	E
ISDN "B" and "D" Channel Applications must also be ordered in the Optional Feature Section.					
A.	Total Monthly and Nonrecurring Centrex Charges		\$ 35.00		\$ 6452.33

In Addition to the above Centrex rates, you will be billed the then prevailing end-user Federal Access Line Charge authorized in the tariffs.

THE CENTREX SERVICE**CONFIRMATION OF SERVICE ORDER**

Customer hereby acknowledges its order for Ameritech Centrex Service (the "Service"). Shown below is the period of Service selected by Customer (the "Service Term") and Line Capacity Commitment. Customer authorizes the Authorized Sales Distributor designated below to obtain copies of network service and billing records and to order and negotiate for the initial installation and coordination of the Service provided by Ameritech.

This Order is intended to serve as a confirmation of Customer's selection of the Service, Service Term and Line Capacity Commitment offered by Ameritech. The rates, terms and conditions under which the Service is provided, including applicable termination charges, are controlled by tariff except in Michigan where the Service is provided under the terms and conditions in the Agreement attached to this Order.

The monthly recurring rates which correspond to the Service and Service Term will apply for the time period shown below and will not be subject to Ameritech initiated increases during the Service Term.

Upon expiration of the Service Term, Customer may negotiate a new Service Term at the then-current rates for any Service terms available at such time. If Customer chooses not to negotiate a new Service Agreement and does not request discontinuance of the service, the rates will revert to the month-to-month basis rates then in effect for the Service.

If any one of the conditions are met, this is canceled prior to installation or if the Service is terminated prior to the end of the Service Term, then the applicable cancellation or termination charges are due and payable. Termination charges are dependent upon the Service Term and Line Capacity Commitment designated by Customer.

SERVICE TERM: ☐ month-to-month ☐ 36 months ☒ 60 months ☐ 24 months ☐ other (ICB)

LINE CAPACITY COMMITMENT: ☐ 2 lines ☐ 7 lines ☐ 25 lines
☐ 50 lines ☐ 100 lines ☐ 200 lines
☒ 500+ lines

KALAMAZOO PUBLIC SCHOOLS

Company Name

616-337-0000

Billing Telephone Number



Signature of Customer

Gary L. Start

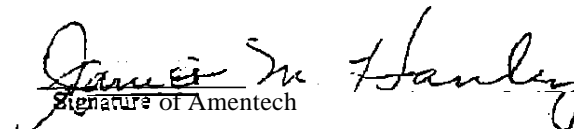
Printed Name

Assistant Superintendent Business and Finance

Title

January 5, 1998

Date



Signature of Ameritech

JANICE M. HANLEY

Printed Name

ACCOUNT MANAGER

Title

1-6-98

Date

JANICE HANLEY

Sales Representative

AMERITECH ENHANCED BUSINESS SERVICES

Company Name

Attachments: ☒ Terms of Agreement ☐ Service Guarantee ☐ Single Payment Option ☐ Deferred Payment Option

As used herein, Ameritech means Illinois Bell Telephone Company in Illinois, Indiana Bell Telephone Company, Incorporated in Indiana, Michigan Bell Telephone Company in Michigan, The Ohio Bell Telephone Company in Ohio, and Wisconsin Bell, Inc. in Wisconsin.

Ameritech Centrex Service

90 Month Service Term

Ameritech Michigan Terms and Conditions

The Service will be provided to KALAMAZOO PUBLIC SCHOOL's business located at 1220 HOWARD STREET, KALAMAZOO, Michigan 49008. Customer and Ameritech Michigan ("Ameritech") agree that the Service being provided pursuant to the Confirmation of Service Order, this Agreement and any Centrex Service Pricing Sheet added during the Service Term, constitute the entire Agreement between the parties, and supersedes all prior proposals or agreements, oral or written, and all other communications between the parties.

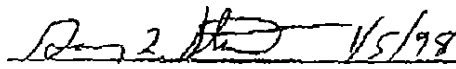
1. **Basic Features** - Where facilities permit the basic features listed below are available at no additional charge. After a Centrex line is activated any change to the line will result in the application of the station line feature addition or change charge specified in the tariff.

Call Forwarding
Call Forwarding - All Calls
Call Forwarding - Busy
Call Forwarding - Don't Answer
Call Forwarding - Call Waiting
Call Hold
Call Pickup
Call Transfer (Intra-system) - All
Call Transfer (Inter-system) - Deluxe
Call Waiting

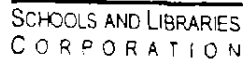
Cancel Call Waiting
Centrex Mala (standard for 7+ line sizes)
Conference Calling - Three Way
Consultation Hold
Data call Protection
Direct Inward Dialing
Direct Outward Dialing
Distinctive Ringing & Call Waiting Tones
End to End Signaling
Equal Access for InterLATA Calling

Hunting Arrangements
Intercom Calling
Message Wtg. Indicator - Audible
Night Answer
Ring Reminder - Off
Short Hunt
Speed Calling Short
Touch Tone
Transfer Call - Restricted Station
Usage Billing - Line Number

2. **Optional Features and Additions** - Optional features are available to the Service. Customer may order additional station lines and any optional features activated at the establishment of the Service during the Service Term at the specified recurring rates and nonrecurring charges. Additional optional features which are available but are not specified herein may be ordered at the then prevailing rates and charges.
3. **Warranties and Limitation of Liability** - **ANY OR ALL IMPLIED WARRANTIES OR MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND ANY WARRANTIES, EXPRESS OR IMPLIED ARE EXCLUDED FROM THIS TRANSACTION. IN NO EVENT SHALL AMERITECH, OR ANY AFFILIATE OR AMENTECH, BE LIABLE FOR INDIRECT, SPECIAL, RELIANCE, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, INCLUDING BUT NOT LIMITED TO LOST PROFITS, ARISING OUT OF OR IN CONJUNCTION WITH THIS AGREEMENT, REGARDLESS OF THE FORM OF ACTION, WHETHER IN AGREEMENT, INDEMNITY, WARRANTY, STRICT LIABILITY OR TORT, EXCEPT WHERE SUCH DAMAGES ARE THE DIRECT RESULT OF GROSS NEGLIGENCE OR INTENTIONAL ACTS ARE COMMITTED BY THE PARTY OR ITS AFFILIATE, THEIR EMPLOYEES, AGENTS OR REPRESENTATIVES.**
4. **Governing Law** - If there is any inconsistency between the tariffs and this order, the tariffs shall govern. This contract shall be construed in accordance with the laws of the State of Michigan.
5. **Force Majeure** - Ameritech is not responsible for any delay or failure in performance caused by fire, strike, embargo, government action or inaction, military action, acts of a Public Enemy, inability to secure equipment or facilities, delays in transportation, acts or omissions of others, or any cause beyond the control of Ameritech.


(Signature and Date)

ATTACHMENT D



P O Box 4217
Iowa City IA 52244-4217

KALAMAZOO PUBLIC SCHOOL DIST 94
Jim Rudnick
1220 HOWARD ST
KALAMAZOO, Mi 49008-1871



DATE: 2/26/98

Important Notice from
The Schools and Libraries Corporation
about your FCC Form 470 Application

We are pleased to inform you that the Schools and Libraries Corporation (SLC) has received your properly completed Description of Services Requested (FCC Form 470), and has assigned to it the following Universal Service Control Number: 474450000044604. (Please record this number in a safe place. This number is used to track your Application and will be used to relate any subsequently filed Services Ordered and Certification Form(s) (FCC Form(s) 471) to this specific Application; this includes use by filers of any Forms 471 associated with this Form 470 application. Also, please refer to the number in any correspondence or inquiries about your Application with SLC.)

According to FCC rules, because your Form 470 lists only descriptions of services currently being provided under pre-existing contracts, it will not be necessary to post your application on the SLC web site. There is, however, a 28 day waiting period before the filing of an FCC Form 471 for qualified pre-existing contracts. Accordingly, one or more Schools and Libraries Universal Service Services Ordered and Certification Form(s) (FCC Form 471) related to this Form 470 may be submitted on or after 03-25-98. A properly completed Form 471, with a signed Form 471 certification, as well as a signed Form 470 certification, must be received by SLC no later than 04-15-98 in order to meet the SLC 75-day window.

A properly completed certification for your Form 470 has not been received and entered. Please keep in mind that while you may have submitted a certification, SLC may not yet have received and processed the certification, or your certification may not have been properly completed, in which case SLC has not accepted the certification. If you have questions about the status of your certification, please call SLC Client Service Bureau at 888-203-8100 and please have your form 470 application number in hand for the service representative. A properly completed certification is necessary before a funding commitment can be approved.

It is IMPORTANT to remember that not all requested services may necessarily be approved for discounts. Your application is subject to review by SLC before funds are committed for a determination of funding eligibility. (This review will consider eligibility of discount recipients, the contract signing dates of ~~pre-existing~~ contracts, and the eligibility of services for which discounts are requested.) In addition, availability of funds and compliance with all of the rules governing this program will be evaluated. Therefore, you should consider the possibility of a denial of funding or a level of funding below your request, and include appropriate contingencies in any potential contracts for any or all of the requested services.

If you have any questions, please call the SLC Client service Bureau at 888-203-8100.

Schools and Libraries Universal Service Services Ordered and Certification Form

Approval by ONT
3060-0806

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Schools and Libraries Corporation can set aside sufficient support to reimburse providers for services.

Please read instructions before completing.

(To be completed by each Billed Entity)

Block 1: Applicant Address and Identifications (School, library, or consortium desiring Universal Service Funding)	
1 Name of Applicant (Billed Entity)	Kalamazoo Public Schools
2 Funding Year	1998
3a NCEC School Code (if individual school) or NCEC Library Code (if individual library) 19950	
3b Billed Entity Number	131284
4a Type of Applicant	
<input type="checkbox"/> school <input checked="" type="checkbox"/> school district <input type="checkbox"/> library or library consortium under the LSTA <input type="checkbox"/> consortium of multiple entities <input type="checkbox"/> includes non-government entities ineligible for support <input type="checkbox"/> state educational agency <input type="checkbox"/> local educational agency <input type="checkbox"/> educational services agency	
4b If applicant is a consortium, check all other boxes that apply:	

5 Applicant's Street Address, P.O. Box, or Route Number		1220 Howard Street	
City		State	Zip Code
Kalamazoo		MI	49008
6 Contact Person's Name		Telephone Number	E-mail Address
James L. Rudnick		616/337-0159	rudnickjl@kalamazoo.k12.mi.us
Street Address, P.O. Box, or Route Number (if different from Item 5)			
City		State	Zip Code
Fill in all of the following (if available), and check the preferred mode of contact			
<input type="checkbox"/> FAX 616/337-0153 <input checked="" type="checkbox"/> Telephone 616/337-0159 <input type="checkbox"/> Mail		<input type="checkbox"/> E-mail rudnickjl@kalamazoo.k12.mi.us	

Block 2: Purpose of Request	
7 Purpose of Request: (Check all that apply, if any.)	
<input checked="" type="checkbox"/> Discount on contract(s) signed prior to a request being posted on the Administrator's website. <input type="checkbox"/> Was an FCC Form 470 filed with regard to all the contract(s)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Discount on contract(s) signed after a request being posted on the Administrator's website. <input type="checkbox"/> Major modifications or supplement to existing contract(s) for which a Form 471 was already filed. <input type="checkbox"/> 471 Application Number	

Block 3: Characteristics of Applicant and Applicant's Service Order (derived from FCC Form 470 Blocks 2 & 3)	
8a Number of students	11,775
8b Number of library patrons	
9 Number of buildings to be served	
10 Number of rooms to be served	900

Contact Person's Name James L Rudnick

and Phone Number 616/337-0159

	Existing Services	Total Services After Order
11. Telecommunications Services		
a. Number of phones that have or require service (See instructions concerning extension phones and fax machines.)	800	850
b. Number of computers that have or require service		
c. Number of high bandwidth video conferencing links		
12. Internal Connections		
d. Number of buildings with at least some rooms connected		
e. Number of rooms connected		
f. Highest speed of connection		
13. Internet Access		
a. Number of dial up connections		
b. Highest speed of such dial up connections		
c. Number of direct connections	1	1
d. Highest speed of such direct connections	T-1	T-3

entity. Attach additional pages if necessary. *Note:* If the applicant has already completed this chart for all of the same entities with data that is current, provide the "471 Application Number" (Item 3b), from that previous FCC Form 371 here.

(1) Name of Individual School or Library	(2) NCES or Comparable Code for School or Library (Obtain from Administrator)	(3) Urban or Rural	(4) <u>For Schools:</u> Number of Students <u>For Libraries:</u> NCES Code of a School in its District	(5) <u>For Schools:</u> Number of Students Eligible for National School Lunch Program	(6) Discount Calculated from Discount Matrix	(7) Check if School or Library will use "Shared Services" listed in Item 15.
Please see Section 14 attachments following						[]
						[]
						[]
						[]
						[]
						[]
FOR SHARED SERVICES ORDERED BY BILLED ENTITY (attach worksheet of calculations)						

Block 4: Determining Discount Percentages

14. Fill in one line per school, library, or library consortium and calculate in the last line, an average discount rate for the billed entity.

Attach additional pages if necessary. Note: If the applicant has already completed this chart for all of the same entities with data that is current, provide the "471 Application Number" (Item 3b), from that previous FCC Form 471 here: _____

(1) Name of Individual School or Library	(2) NCES Comparahic Code for School or Library (Obtain from Administrator)	(3) Urban or Rural	(4) <i>For Schools:</i> Number of Students <i>For Libraries:</i> NCES Code of a School in its District	(5) <i>For Schools:</i> Number of Students Eligible for National School Lunch Program	(6) Discount Calculated from Discount Matrix	(7) Check if School or Library will use "Shared Services" listed in Item 15.
Arcadia	05653	Urban	304	192	0%	X
Chime	05655	Urban	366	182	0%	X
Edison	05656	Urban	457	419	0%	
Greenwood	05657	Urban	187	122	0%	
Indian Prairie	05659	Urban	249	100	60%	
King-Westwood	05614	Urban	468	156	50%	X
Lakewood	05661	Urban	125	107	90%	X
Lincoln	0	Urban			80%	X
Milwood	0	Urban			80%	X
Northeastern	05660	Urban	505	369	80%	X
Northglade	05667	Urban	507	187	80%	X
Oakwood	05668	Urban	160		0%	X
Parkwood-Upjohn	05670	Urban	600	331	0%	X
Spring Valley	05672	Urban	408	280	0%	X
Washington	05673	Urban	379	319	90%	X
Winchell	05674	Urban	385	212	80%	X
Woods Lake	05669	Urban	510	327	80%	X
Woodward	05676	Urban	350	278	90%	X
Hillside	05658	Urban	642	276	60%	X
Milwood Middle	05665	Urban	587	364	80%	X
South	05671	Urban	1463	296	80%	X
Kalamazoo Central	05677	Urban	1329	433	50%	X
Loy Norrix	05663	Urban	1239	526	60%	X
CEYF	010048	Urban	66	44	80%	X
Phoenix	010160	Urban	152	82	80%	X
Vine	010047	Urban	135	91	80%	X
FOR SHARED SERVICES ORDERED BY BILLED ENTITY (attach worksheet of calculations)					80%	

Kalamazoo Public Schools							
Item 14 Bottom Row Discount Calculation Worksheet							
(1) Name of individual School or Library	(2) NCES Code	(3) Urban or Rural	(4) Number of Students	(5) Number of Students Eligible for National School Lunch Program	Percent Eligible for National School Lunch Program	(6) Discount Calculated from Matrix	# Students x Discount Rate
Arcadia	05653	Urban	304	192	63%	80%	243
Chime	05655	Urban	366	182	50%	80%	293
Edison	05656	Urban	457	419	92%	90%	411
Greenwood	05657	Urban	187	122	65%	80%	150
Indian Prairie	05659	Urban	249	100	40%	60%	149
King-Westwood	05674	Urban	468	156	33%	50%	234
Lakewood	05661	Urban	125	107	86%	90%	113
Lincoln	05662	Urban	665	363	55%	80%	532
Milwood	05664	Urban	640	383	60%	80%	512
Northeastern	05666	Urban	506	369	73%	80%	405
Northglade	05667	Urban	367	187	51%	80%	294
Oakwood	05668	Urban	160	95	59%	80%	128
Parkwood-Upjohn	05670	Urban	600	331	55%	80%	480
Spring Valley	05672	Urban	408	280	69%	80%	326
Washington	05673	Urban	379	319	84%	90%	341
Winchell	05674	Urban	385	212	55%	80%	308
Woods Lake	05669	Urban	510	327	64%	80%	408
Woodward	05676	Urban	350	278	79%	90%	315
Hillside	05658	Urban	642	276	43%	60%	385
Milwood Middle	05665	Urban	587	364	62%	80%	470
South	05671	Urban	463	296	64%	80%	370
Kalamazoo Central	05677	Urban	1329	433	33%	50%	665
Loy Norrix	05663	Urban	1239	526	42%	60%	743
CEYF	00048	Urban	66	44	67%	80%	53
Phoenix	00160	Urban	152	82	54%	80%	122
Vine	00047	Urban	135	91	67%	80%	108
District Total		Urban	11739	6534	56%	80%	8557
Total Eligible Students in All School		8557					
Divided by Total Students		11739					
Percentage Eligible		73%					
District-Wide USF Discount Rate		80%					

Contact Person's Name: James L. Kuhlback

and Phone Number: 616/337-0159

Block 5: Services Ordered

15. "Shared" services: All EXCEPT site-specific, internal connections and dedicated ("private line") connections from only one school or library to an ISP or other end user.

(1)	(2)	CONTRACT			(6)	(7)	Amount			(10)	(11)
SLC Service Provider Number or Full Legal Name of Service Provider	Universal Service Control Number for Form 470 on which this is based	(3) Contract Number (if applicable)	(4) Award Date	(5) Expir- ation Date	Services or Products	Service Start Date	(8) Estimated One Time Pre- discount Cost	(9) Estimated Monthly Pre- discount Cost	Estimated Total Annual Prediscount Cost	Percentage Discount (from Item 14)	
143 001 262	171450000041604	391	1-1-98	12/31/98	Telecommunications Services	01/01/98	\$1,800.00	\$21,600.00	80.00%		
					Internet Access						
					Internal Connections (Shared)						
143001727	171450000041604	616/337-0000	01/01/98	12/31/98	Telecommunications Services	01/05/98	\$22,000.00	\$264,000.00	80.00%		
					Internet Access						
					Internal Connections (Shared)						
					Telecommunications Services						
					Internet Access						
					Internal Connections (Shared)						
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Contact Person's Name James L. Rudnick and Phone Number: 616/337-0159

17. ☒ Check this box to confirm that, for each service provider listed in 15 and 16, above, a list is attached (as an appendix to this form) of all of the services that each service provider is providing to the billed entity. Service providers should provide these lists on request.

18. a. Total dollars of support allocated for this application for the entire funding year (calculated by administrator)

b. Amounts of support set aside for this application for the first six months of the year (calculated by administrator)

19. Provide the total estimated cost (pre-discount price) for the services you expect to order in the funding year following the one for which you are applying here. (This figure is *not* binding.) \$325,000

20. Is your order solely for basic telephone service? ☒ Yes ☐ No

Block 6: Certification and Signature

21. The applicant is eligible for support because it includes: (Check one or both.)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801 (14) and (25), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a state library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools', including, but not limited to, elementary and secondary schools, colleges, or universities.

22. The school(s) or library(ies) I represent have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.

23. All of the individual schools, libraries, and library consortia listed above in items 15 and 16 are covered by:

- a. ☐ an individual; and/or
- b. ☒ higher-level technology plan(s) for using the services requested in this application (if those services consist of other than voice services)

24. Status of technology plans (check one).

- a. ☒ Technology plan(s) has/have been approved; or
- b. ☐ Technology plan(s) will be approved by a state or other authorized body; or
- c. ☐ Technology plan(s) will be submitted to Schools and Libraries Corporation for approval

25. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.

26. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

27. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service receive an appropriate share of benefits from those services.

28. I recognize that I may be audited pursuant to this application and will retain for five years any and all worksheets and other records that I rely upon to fill out this application.

29. I certify that I am authorized to submit this request on behalf of the above-named institution, that I have examined this request and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

30. Signature [Signature]

31. Date 4/2/97

32. Printed name of authorized person Gary Start

33. Title or position of authorized person Assistant Superintendent for Business & Finance

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 41 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

NOTICE TO INDIVIDUALS Section 54.504 of the Federal Communication Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this **Services Ordered and Certification** Form (FCC Form 471) with the Universal Service Administrator 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 41 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party to a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

With the exception of your social security number, if you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, *et seq*.

Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

This form should be submitted to **Schools and Libraries Corporation**
P.O. Box 4217
Iowa City, Iowa 52244-4217
1-888-203-8100

AMERITECH
 Centrex Service Pricing Sheet
SPIN 143001727

Customer orders and Ameritech agrees to provide the following Centrex service:

Service Term Selected: **60 Months**

<u>Quantity</u>	<u>Description</u>	<u>Nonrecurring Charge</u>	<u>Cumulative Nonrecurring Charge</u>	<u>Monthly Rate</u>	<u>Cumulative Monthly Rate</u>
1	System Charge - Establishment/Conversion	35.00	\$ 35.00	20.00	\$ 20.0
---	Per Line Connection	@ \$ 42.00	\$ _____		
<u>Exchange Access</u>					
	Per Line Exchange Access				
25	Lines 1 thru 25			@ \$ 10.03	\$ 250.75
174	Lines 26 thru 199			@ \$ 6.32	\$ 1099.68
300	Lines 200 thru 499			@ \$ 5.49	\$ 1647.00
282	Lines 500 thru 999			@ \$ 4.57	\$ 1288.74
-----	Lines 1,000 +			@ \$ 3.59	\$ _____
<u>Standard Centrex Line</u>					
680	Per Centrex Intercommunications			@ \$ 7.36	\$ 1604.80
<u>Electronic Key Line (EKL) (DMS 100 only)*</u>					
101	Per EKL Intercommunications:	@ \$ 15.00	\$ _____	@ \$ 5.36	\$ 541.36
<u>Integrated Services Digital Network (ISDN)</u>					
---	Per ISDN Intercom (Custom):	@ \$ 225.00	\$ _____	@ \$ _____	\$ _____
---	Per ISDN Intercom (National):	@ \$ 225.00	\$ _____	@ \$ _____	\$ _____
ISDN "B" and "D" Channel Applications must also be ordered in the Option al Feature Section					
A.	Total Monthly and Nonrecurring Centrex Charges		\$ 35.00		\$ 6452.33

In Addition to the above Centrex rates, you will be billed the then prevailing end-user Federal Access Line Charge authorized in the tariffs

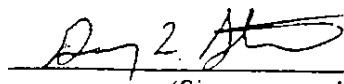
The Following basic features **are** available **with** EKL where facilities permit at **no** additional charge:

Analog Line Pickups
Automatic dial
Automatic Line Preselect
Blind Transfer With Recall Id
Bridging
Call Forwarding Per Key
Call Request
Call Request w/Queue
Calling Number display
Calling Number display Intercom
Calling Reason Display
Display Capability
Executive **Busy** Override
Executive **Busy** Override Exempt
Feature Buttons
Group Intercom
Last Number Redial

Leave Message Activation
Listen On Hold
Make Set Busy
Make Set **Busy** Except w/Group Intercom
Message Retrieval Display
Message Waiting Activation Control
Message Waiting Indication Visual
Multiple Appearance Directory Number (SCA)
On **Hook** Dialing
Repeat Alert
Ringing Options for MADN
Secondary MADN Call **Forward**
Set Inspect
Shon Hunt
Slop Hunt-Access Code
Time and Date Display
Time and Date Display

You have also ordered the following optional feature(s) which will be provided where facilities permit. The current prevailing rates and charges are:

	<u>Optional Features</u>	<u>Nonrecurring Charge</u>	<u>Cumulative Nonrecurring Charge</u>	<u>Monthly Rate</u>	<u>Cumulative Monthly Rate</u>
700	PREMIUM FEATURE PKG	@	\$	@ 1.00	\$ 700.00
2	SPEED CALLING LONG LIST	@	\$	@ .40	\$ 2.00
1	6 PORT CONFERENCE CKT	@	\$	@ 57.50	\$ 57.50
1	SMDR -	@	\$	@ 60.00	\$ 60.00
59 MAD	MADN	@	\$	@ .25	\$ 14.75
44	SECONDARY NUMBERS	@	\$	@ 1.20	\$ 52.80
		@	\$	@	\$
---		@	\$	@	\$
		@	\$	@	\$
		@	\$	@	\$
B	Total Centrex Optional Feature		\$		\$ 887.05
	Nonrecurring Charges and Monthly Rates				
	Centre.; Grand Total		\$		\$ 7339.38

 1/5/98
(Signature and Date)

SPIN 143001262

Product/Location Report

Product/Location Name : KALAMAZOO PUBLIC SCHOOLS
Product/Location Number : 210367
Product/Location Telephone : 616-337-0000

America Plus Heritage*

Usage	<u>Calls</u>	<u>Minutes</u>	<u>Charges</u>
DOMESTIC USAGE	1.922	5,882.30	\$883.79
CANADIAN USAGE	6	7.10	3.15
MEXICAN USAGE	1	2.00	2.70
INTERNATIONAL USAGE	12	15.30	31.18
DIRECTORY ASSIST. USAGE	54	58.10	52.02
SUBTOTALS			
Gross Usage	1,995	5,964.80	972.83
NET USAGE CHARGES			\$972.84

<u>Equipment/Other</u>	<u>Qty</u>	<u>Period</u>	<u>Nonrecurring Charges</u>	<u>Monthly Charges</u>
PROJECT ACCOUNT CODES				\$5.00
Access Line Charge	275	03/07/98	0.00	756.25
NET EQUIPMENT/OTHER CHARGES			\$0.00	\$761.25

<u>Grand Totals</u>	<u>Nonrecurring Charges</u>	<u>Monthly charges</u>
NET USAGE CHARGES		\$972.84
NET EQUIPMENT/OTHER CHARGES	0.00	761.25
TOTAL CHARGES BEFORE TAXES		1,734.09
Gross Receipts Tax & USF		47.68
REPORT GRAND TOTAL		\$1,781.77

SLC Funding Notification Synopsis *for* Application Number: 00007191

Funding Request Number:00004983 Funding status: Funded
SPIN: 143001262 Service Provider Name: LCI International Telecom Corp.
Provider Contract Number: 391
Services Ordered: Telecommunications Services
Effective Date of Discount: 01/01/1998 Contract Expiration Date: 12/31/1998
Estimated Total Annual Pre-discount Cost: \$32,400.00
Discount Percentage Approved by SLC: 73%
Funding Commitment Decision: \$23,652.00 - FRN approved; modified by SLC
Funding Commitment Decision Explanation: The shared discount was corrected.

~~Funding Request Number:00004985 Funding status: Funded~~
~~SPIN: 143001727 Service Provider Name: Ameritech-Michigan (aka Michigan Bell~~
~~Provider Contract Number: 616/337-0000~~
~~Services Ordered: Telecommunications Services~~
~~Effective Date of Discount: 01/05/1998 Contract Expiration Date: 12/31/1998~~
~~Estimated Total Annual Pre-discount Cost: \$396,000.00~~
~~Discount Percentage Approved by SLC: 73%~~
~~Funding Commitment Decision: \$289,080.00 - FRN approved; modified by SLC~~
~~Funding Commitment Decision Explanation: The shared discount was corrected.~~

Certificate of Service

I, Sanjay Beri, do hereby certify that I have mailed, by first class mail, with the United States Postal Service, a true and complete copy of this Petition for Reconsideration to the Schools and Libraries Division, Box 125 – Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981 and Chris Williams, Kalamazoo Public Schools, 1220 Howard Street, Kalamazoo, Michigan 49008-1882



Sanjay Beri

1200 New Hampshire Ave. NW
Suite 300
Washington DC, 20036
(202) 974-5600